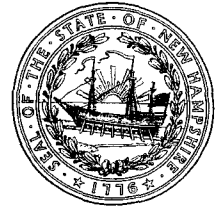




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

July 7, 2005

Ms. Christine Urban
Nashua Christian Academy & High School
34 Franklin Street
Nashua, New Hampshire 03064

CERTIFIED MAIL (7099 3400 0018 1290 5767)
RETURN RECEIPT REQUESTED
LETTER OF DEFICIENCY
No. ARD 2005-009

RE: Nashua Christian Academy & High School

Dear Ms. Urban:

On March 24, 2005, personnel from the New Hampshire Department of Environmental Services, Air Resources Division ("DES"), conducted an inspection for compliance with the Asbestos Hazard Emergency Response Act of 1986 ("AHERA"), 15 USC § 2641 *et seq.*, and the regulations promulgated pursuant to AHERA, 40 Code of Federal Regulations ("CFR") Part 763 Subpart E – *Asbestos Containing Materials in Schools*, at the Nashua Christian Academy & High School, Nashua, NH (the "School").

During the inspection, DES personnel met with School officials, discussed the objectives of the inspection, and provided School officials with copies of the United States Environmental Protection Agency ("EPA") Form 7740-1 *Receipt for Samples and Documents* and EPA Form 7740-3 *Notice of Inspection*. During the inspection, DES personnel reviewed facility records and documentation and provided information about AHERA.

As a result of the inspection and information gathered, this Letter of Deficiency ("LOD") is being sent to identify the following deficiency:

1. The School failed to conduct a re-inspection every 3 years after a management plan was in effect, as required by 40 C.F.R. § 763.85(b)(1). The management plan was developed in August, 1998.

DES believes that the above deficiency can be resolved by the School taking the following action:

2. The School shall conduct a re-inspection within thirty (30) days of issuance of this LOD and must submit a certified statement specifically describing the action the School has taken to address the findings cited above as stipulated in 40 C.F.R. § 763.85(b)(1).

Please address all information to Marjorie Yin, at the following address:

NHDES Air Resources Division
Compliance Bureau
P.O. Box 95
Concord, NH 03302-0095

The School must maintain an updated management plan as required by 40 C.F.R. § 763.93. If any future expansion or modification is done to a School building, the management plan will have to be updated. Please be advised that DES will continue to monitor the School's compliance status and that this letter does not provide relief against any other existing or future deficiencies. A copy of this LOD and any documentation of the corrective action received from the School will be provided to the EPA. Compliance with this LOD does not preclude the EPA from pursuing any other remedies or sanctions authorized by law. Such sanctions may include administrative, civil, and/or criminal action, which may be available by reason of the failure of the School, its officers, employees, or agents to comply with AHERA or the regulations promulgated under AHERA.

If you believe that DES has cited this deficiency in error or if you have any questions or require additional information regarding this matter, please contact Mr. Steve Cullinane, Asbestos Program Manager, Compliance Bureau, Air Resources Division, at (603) 271-1373 or Marjorie Yin, Compliance Bureau, Air Resources Division, at (603) 271-4555.

Sincerely,

A handwritten signature in black ink is written over the word "COPY", which is printed in large, bold, capital letters. The signature appears to be "P. Monroe".

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/jwr

cc: W. Toland, EPA Region 1
G. Hamel, Legal Unit Administrator
AFS # 3300085555